

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

FILED - CLERK
U.S. DISTRICT COURT
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UNITED STATES, *ex rel.*
HARROLD E. (GENE) WRIGHT,

Plaintiffs,

v.

AGIP PETROLEUM CO. *et al.*,

Defendants.

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C.A. No. 9:98CV30
(consolidated case)

JUDGE JOHN L. HANNAH, JR.

UNDER SEAL

UNSEALED

NOTICE OF UNITED STATES' INTERVENTION DECISION

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4), the United States hereby notifies the Court that (1) the United States has elected to intervene and proceed with this action as to 15 of the named defendants, constituting three groups of affiliated defendants, (2) the United States declines to intervene as to 111 defendants, and (3) the United States has not made a determination whether to intervene in this action as to seven defendants, constituting five groups of affiliated defendants, and will continue to investigate those defendants.¹

Election to Intervene

The United States elects to intervene and to proceed with the prosecution of this action as to the following groups of affiliated defendants: (1) the Mobil group of affiliated defendants: Mobil Oil Corporation, Mobil Oil Exploration and Production, Mobil Oil Exploration & Producing North America, Inc., Mobil Producing Texas & New Mexico, Inc. and Mobil Oil Exploration and Producing Southeast, Inc.; (2) the Meridian group of affiliated defendants: Meridian Oil, Inc. and

¹ By filing this Notice the United States expresses no opinion as to whether the relator's action is proper under the False Claims Act and the United States expressly reserves the right to assert that the action is not proper.

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Meridian Oil Production, Inc.; and, (3) the Shell group of affiliated defendants: Shell Oil Company, Shell Consolidated Energy Resources, Inc., Shell Frontier Oil & Gas, Inc., Shell Gas Pipeline Company, Shell Land & Energy Company, Shell Offshore, Inc., Shell Pipeline Corporation and Shell Western E&P Inc. The United States will file its own complaint within sixty days as to those defendants.

Election to Decline to Intervene

The United States elects to decline to intervene in this action as to the 111 defendants listed in attachment A to this Notice.

Notice of Lack of Intervention Decision

The United States hereby notifies the Court that as to the following five groups of affiliated defendants the United States has not yet decided whether to intervene: (1) Fina Oil & Chemical Company and Fina Exploration, Inc., (2) Chevron U.S.A., Inc., (3) Amoco Production Company, (4) Enron Corporation and Enron Oil & Gas Company and (5) Exxon Corporation. The United States intends to continue to investigate these defendants, and may seek intervention as to one or more in the future.

Regarding the defendants with respect to which the United States is either declining to intervene or is making no intervention decision at this time, the government respectfully refers the Court to 31 U.S.C. § 3730(b)(1), which allows the relators to maintain an action against these defendants in the name of the United States; providing, however, that the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." *Id.* Therefore, the United States requests that, should either the relators or the defendants propose that the action against those defendants be dismissed, settled, or otherwise

discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

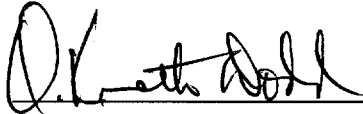
Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in the action against those defendants be served upon the United States. The United States reserves its right to order any deposition transcripts and to intervene in the action against those defendants, for good cause, at a later date.

The United States requests that the Second Amended Original Complaint filed by relators and this Notice be unsealed and served on the defendants. The United States further requests that all other contents of the Court's file in this matter, including complaints, applications filed by the United States for extensions of the sixty-day seal period, as well as any supporting memoranda and declarations, remain under seal and not be served on the defendants or otherwise made public. An order so providing is attached for the Court's convenience.

Respectfully submitted,

DAVID W. OGDEN
Acting Assistant Attorney General

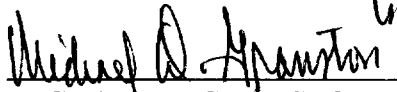
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**ATTORNEYS FOR THE UNITED STATES
OF AMERICA**

Dated: March 28, 2000

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Notice of United States' Intervention Decision** and proposed Order were served via first-class mail, postage prepaid, to all lead counsel of record on this 28th day of March, 2000.

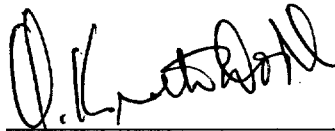
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Attachment A

AGIP Petroleum Company Incorporated
Amerada Hess Corporation
Anadarko Petroleum Corporation
Anadarko Production Company
ANR Production Company
The Anschutz Corporation
Apache Corporation
Ashland Oil, Inc.
Atlantic Richfield Company
B.T. Operating Company
Basin Exploration, Inc.
Bass Enterprises Production Company
BP Exploration and Oil, Inc.
BP Exploration (Alaska), Inc. f/k/a Sohio Alaska Petroleum Company
Bridge Oil Production Company
Cabot Petroleum Corporation
Canadianoxy Offshore Production Co.
CNG Producing Company
Coastal Oil and Gas Corporation
Coastal Oil and Gas U.S.A., L.P.
Conoco, Inc.

DEK Energy Company f/k/a DEKALB Energy Company
Delmar Operating, Inc.
Elf Exploration, Inc.
Energy Development Corporation
Enserch Corporation
Enserch Exploration, Inc.
Enserch Offshore, Inc.
Equitable Resources Energy Company
Forcenergy, Inc. f/k/a Forcenergy Gas Exploration, Inc.
Forest Oil Company
Freeport-McMoran, Inc.
Freeport-McMoran Oil & Gas Company
Hall-Houston Oil Company
Hamilton Brothers Corporation
Hamilton Brothers Exploration Company
Hamilton Brothers Oil Company
Helmerich & Payne, Inc.
Home Petroleum Corporation
Houston Oil & Minerals Corporation
Howell Petroleum Corporation
Hunt Oil Company
Hunt Petroleum Corporation

Kerr-McGee Corporation
Kirby Exploration Company of Texas
Koch Exploration Company
Koch Industries, Inc.
Louis Dreyfus Reserves Corp.
The Louisiana Land & Exploration Company
LLECO Holdings, Inc.
LLOXY Holdings, Inc.
Marathon Oil Company
McMoran Oil & Gas Company
Mesa Operating Limited Partnership
MidCon Exploration Company
MidCon Offshore, Inc.
Mitchell Energy Corporation
Mosbacher Energy Company
Mosbacher Offshore, Inc.
Murphy Exploration & Production Company
Newfield Exploration Company
Norcen Explorer, Inc.
Nuevo Energy Company
Oxy U.S.A., Inc.
Oryx Energy Company
Pacific Offshore Co.
Parker & Parsley Petroleum Company
Pennzoil Company
Pennzoil Exploration and Production Company
Pennzoil Petroleum Company
Petrofina Delaware, Inc.
Petrofina Exploration, Inc.
Petro-Hunt Corporation
Phillips Petroleum Company
Placid Oil Company
Pogo Gulf Coast, Ltd.
Pogo Producing Company
Questar Oil and Gas Company
Quintana Energy Corporation
Quintana Offshore, Inc.
Quintana Petroleum Corporation
The Rosewood Corporation
Rosewood Resources, Inc.
Rowan Companies, Inc.
Rowan Petroleum, Inc.
Samedan Oil Corporation
Santa Fe Energy Resources, Inc.

Snyder Oil Corporation
Snyder Oil Partners, L.P.
Snyder Operating Partnership, L.P.
Southwestern Energy Production Company
Sun Operating Limited Partnership
Taylor Energy Company
Tenneco Gas Production Corporation
Tenneco Oil Company
Tesoro Petroleum Corporation
Texaco Exploration and Production, Inc.
Texaco, Inc.
Torch Energy Associates. Ltd.
Torch Operating Company
Transco Exploration Company
Union Pacific Resources Company
UNOCAL Corporation
Union Oil Company of California
Union Texas Petroleum Corporation
Valero Energy Corporation
Valero Producing Company
Vastar Resources, Inc.
Walter Oil & Gas Corporation
Zapata Corporation
Zapata Exploration Company